

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff/Garnishor,

v.

Case No. 98-10402

NANCY J. HEGENAUER

Defendant,

v.

LC INDUSTRIES,

Garnishee.

ORDER GRANTING PLAINTIFF’S “MOTION FOR WRIT OF EXECUTION”

On February 17, 1999, the court entered a default judgment in favor of Plaintiff United States of America and against Defendant Nancy J. Hegenauer in the amount of \$6,577.23. Thereafter, in an effort to collect on the judgment, Plaintiff filed a “Motion for Writ of Execution” and attached a proposed writ of execution. (Dkt. # 27.) Defendant has not responded. As of the date of filing the motion, April 25, 2014, the total amount of the unsatisfied judgment is \$13,008.46.¹ (*Id.* at Pg. ID 59.)

Plaintiff filed its motion pursuant to Federal Rules of Civil Procedure 64 and 69, Michigan Compiled Laws §§ 600.2920, 600.6002, and Michigan Court Rule 3.106.

Federal Rule of Civil Procedure Rule 69(a)(1) provides:

¹This figure has grown since the time that the court entered a default judgment because it now includes post-judgment interest.

A money judgment is enforced by a writ of execution, unless the court directs otherwise. The procedure on execution—and in proceedings supplementary to and in aid of judgment or execution—must accord with the procedure of the state where the court is located, but a federal statute governs to the extent it applies.

Under Michigan law, a licensed court officer is authorized to seize a judgment debtor's property to satisfy a judgment. See M.C.R. 3.106. Accordingly,

IT IS ORDERED that Plaintiff's "Motion for Writ of Execution" is GRANTED.

(Dkt. # 27.)

The writ of execution attached to Plaintiff's motion will be entered separately.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: June 24, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 24, 2014, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522